

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

DON BLANKENSHIP,

Plaintiff,

v.

Case No. 2:05-cv-00606

JOE MANCHIN, III, in his
individual capacity and in
his official capacity as
Governor of the State of
West Virginia,

Defendant.

AMENDED MEMORANDUM OPINION AND ORDER

By Memorandum Opinion and Order entered September 11, 2007 (Docket # 147), the court, at page two of its order, set various deadlines for additional briefing by the parties related to the joint defense privilege raised by Defendant. It is hereby **ORDERED** that the court's Memorandum Opinion and Order is **AMENDED** to reflect the following change for briefing related to the joint defense privilege: Defendant may file a supplemental brief in support of his joint defense privilege argument on or before **September 17, 2007**; Plaintiff may respond to Defendant's brief on or before **September 24, 2007**; and Defendant may reply on or before **September 28, 2007**.

Plaintiff requests an extension of the September 17, 2007, deadline, contained on page 14 of the court's Memorandum Opinion and Order, for responding to interrogatory numbers 19 and 20.

Defendant does not object to such an extension, but requests a similar extension with respect to production of revised privilege logs. Based on the representations of counsel that a settlement meeting as described to the court will take place on September 17, 2007, it is hereby **ORDERED** that the deadlines related to the revised privilege logs, contained at page three of the court's Memorandum Opinion and Order, are extended as follows: Defendant, DEP and DHHR shall produce their revised privilege logs on or before **September 24, 2007**; Plaintiff may file a response on or before **October 1, 2007**; and Defendant, DHHR and DEP may reply on or before **October 5, 2007**. The remaining deadlines in the court's September 11, 2007, Memorandum Opinion and Order remain in effect.

The Clerk is directed to transmit a copy of this Amended Memorandum Opinion and Order to counsel of record.

ENTER: September 12, 2007


Mary E. Stanley
United States Magistrate Judge